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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA, et al.,

10 Plaintiffs,

11 v.

12 STATE OF WASHINGTON, et al.,

13 Defendants.  
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CASE NO. CV 9213

Subproceeding No. 05-01

ORDER ON MOTION FOR  
RECONSIDERATION

15 This matter is before the Court for consideration of the Skokomish Indian Tribe's timely motion  
16 for reconsideration of the Court's Order dated March 30, 2005. The Court ordered that the Request for  
17 Determination filed by the two S'Klallam Tribes and the Counter-Request for Determination filed by the  
18 Skokomish Indian Tribe shall be bifurcated for trial. The Skokomish Tribe contends that bifurcation is  
19 contrary to the procedures of Paragraph 25, as well as prior Orders in this case. The Court deems a  
20 response to this motion for reconsideration unnecessary, and denies the motion for reasons set forth  
21 below.

22 Nothing in the language of Paragraph 25, as modified on August 23, 1993, precludes bifurcation  
23 of a Request for Determination from a Counter-Request. In this subproceeding, the Court originally  
24 ordered that the two would be tried together on an expedited schedule. However, when the Skokomish  
25 Tribe objected, in the March 24 request for a scheduling conference, to such expedited consideration of  
26 the issues, the Court determined that bifurcation was appropriate. That determination was made after  
27 carefully balancing the competing interests of the various parties. Nothing in the motion for  
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1 reconsideration has shown manifest error in that ruling, or new facts or legal authority which the Court  
2 has overlooked.

3 Accordingly, the motion for reconsideration is DENIED. A status conference will be set by the  
4 Court to discuss the trial schedule and appointment of a settlement judge.

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6 DATED this 14<sup>th</sup> day of April, 2005.

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9 RICARDO S. MARTINEZ  
10 UNITED STATES DISTRICT JUDGE  
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